



July 8, 2015

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

52 August 4, 2015

Sachi A. Hamai, Executive Officer  
Board of Supervisors  
Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 383  
Los Angeles, CA 90012

  
PATRICK OGAWA  
ACTING EXECUTIVE OFFICER

Dear Ms. Hamai,

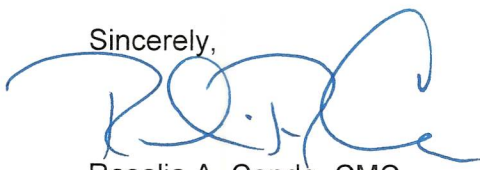
Enclosed please find executed copies of the City of West Covina City Council resolutions as follows:

- 1.) RESOLUTION NO. 2015-34, calling for the holding of a General Municipal Election to be held on Tuesday, November 3, 2015 for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities and for the submission to the voters a question relating to the qualifications, recruitment, hiring and removal of the City Manager; and
- 2.) RESOLUTION NO. 2015-35, requesting the Board of Supervisors of the County of Los Angeles to consolidate a General Municipal Election to be held on November 3, 2015, with the Local and Municipal Consolidated Elections to be held on the date pursuant to § 10403 of the Elections Code; and
- 3.) RESOLUTION NO. 2015-36, adopting regulations for candidates for elective office pertaining to candidates statements submitted to the voters at an election to be held on Tuesday, November 3, 2015.

The City will reimburse the County for costs incurred by the election. Please remit all correspondence to the City of West Covina as follows:

Rosalia A. Conde, Assistant City Clerk/Elections Official  
City of West Covina  
1444 West Garvey Avenue South  
West Covina, CA 91790  
(626) 939-8433

Sincerely,



Rosalia A. Conde, CMC  
Assistant City Clerk

/enclosures



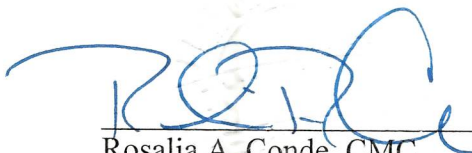
STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS  
CITY OF WEST COVINA         )

CERTIFICATION OF RESOLUTION  
CITY COUNCIL

I, Rosalia A. Conde, CMC, Assistant City Clerk of the City of West Covina, California, do hereby certify that this is a true and correct copy of the original **City Council Resolution No. 2015-34**, calling for the holding of a General Municipal Election to be held on Tuesday, November 3, 2015 for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities and for the submission to the voters a question relating to the qualifications, recruitment, hiring and removal of the City Manager.

WITNESS MY HAND AND THE SEAL OF THE CITY OF WEST COVINA, on this 8<sup>th</sup> day of July, 2015.

(seal)

  
\_\_\_\_\_  
Rosalia A. Conde, CMC  
Assistant City Clerk

**RESOLUTION NO. 2015-34**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2015 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND FOR THE SUBMISSION TO THE VOTERS A QUESTION RELATING TO QUALIFICATIONS, RECRUITMENT, HIRING AND REMOVAL OF THE CITY MANAGER**

**WHEREAS**, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 3, 2015, for the election of Municipal Officers; and

**WHEREAS**, In 1964, the voters of West Covina approved an initiative measure adopting an ordinance establishing the method of determining qualifications of the city manager, and restrictions regarding hiring and removal of the city manager; and

**WHEREAS**, the City is unable to comply with the current ordinance in a number of respects due to changes in both state law and the elimination of certain organizations which the ordinance requires the City to use in recruiting and determining the qualifications of the city manager; and

**WHEREAS**, the City Council has determined to submit to the electorate a measure to consider a proposed ordinance amending the City's municipal code to allow the City to effectively recruit, hire and manage the city manager and the City Council has determined that a Special Municipal Election shall be held November 3, 2015 to submit the measure to the voters.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of West Covina, California, on Tuesday, November 3, 2015, a General Municipal Election for the purpose of electing two Members of the City Council for the full term of four years.

**SECTION 2.** That the City Council, pursuant to its right and authority, does order submitted to the voters at the General Municipal Election the following question:

<p>Shall Ordinance No. 2279 be approved to amend the city's municipal code to eliminate illegal qualification requirements, require professional recruitment for the city manager, require that hiring and retention of the city manager be based on skills and experience, eliminate requirement that interim city manager be selected only from department heads, eliminate most restrictions on removal of the city manager, and provide that any appointment which violates state or local law is null and void?</p>	<p>YES</p> <p>_____</p> <p>NO</p>
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**SECTION 3.** That the text of the complete measure is attached as Exhibit 1 and ordinance to be submitted to the voters is attached as Exhibit 2.

**SECTION 4.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 5.** That the City Clerk is authorized, instructed and directed to coordinate with the County of Los Angeles Registrar-Recorder/County Clerk to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.


**SECTION 6.** That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until eight o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code § 10242, except as provided in § 14401 of the Elections Code of the State of California.

**SECTION 7.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

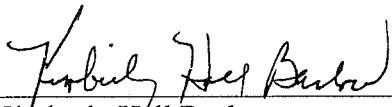
**SECTION 8.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

**SECTION 9.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

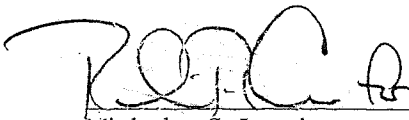
**PASSED, APPROVED AND ADOPTED this 7th day of July, 2015**

  
 Fredrick Sykes  
 Mayor

**APPROVED AS TO FORM:**

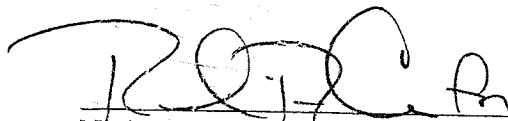
  
\_\_\_\_\_  
Kimberly Hall Barlow  
City Attorney

**ATTEST:**

  
\_\_\_\_\_  
Nickolas S. Lewis  
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof on the 7th day of July, 2015, by the following vote of City Council:

AYES: Spence, Toma, Warshaw, Wong, Sykes  
NOES: None  
ABSENT: None  
ABSTAIN: None

  
\_\_\_\_\_  
Nickolas S. Lewis  
City Clerk

## EXHIBIT 1

FULL TEXT OF MEASURE \_\_\_\_  
CITY OF WEST COVINA

The People of the City of West Covina do ordain as follows:

Division 2 of Article IV of the West Covina Municipal Code is amended to delete the illegal city residency requirement for the city manager and revise the method of recruiting for city manager by deleting a requirement that the City retain either the State Human Resources Board or the County Civil Service Commission to recruit and evaluate city manager candidates, because those entities do not provide that service now. The amendment will provide that the City use existing staff or a professional recruiting firm with experience to conduct a recruitment and evaluation. It would further require that the City Council is to hire the city manager based on his or her executive and administrative qualifications with special reference to actual experience in or knowledge of accepted practices of municipal administration. The measure would delete a requirement that any interim city manager be appointed from among existing department heads. It would make illegal and void any appointment of a city manager not conforming with state and local law. It would also eliminate restrictions on removing the city manager by the City Council, except a restriction on removing the City Manager within 90 days after swearing in members following a city council election. Following enactment of this ordinance, the City Council may establish, by resolution or ordinance, such reasonable rules and regulations as may be appropriate regarding the city manager which are not in conflict with the voter approved ordinance.

**IF YOU DESIRE A COPY OF THE ORDINANCE NO. 2279, PLEASE CALL THE CITY CLERK'S OFFICE AT (626) 939-8433, AND A COPY WILL BE MAILED AT NO COST TO YOU.**

**RESOLUTION NO. 2015-35**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2015, WITH THE LOCAL AND MUNICIPAL CONSOLIDATED ELECTIONS TO BE HELD ON THE DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE**

**WHEREAS**, the City Council of the City of West Covina called a General Municipal Election to be held on November 3, 2015, for the purpose of the election of two Members of the City Council for the full term of four years; and

**WHEREAS**, the City Council is submitting to the voters a question relating to qualifications, recruitment, hiring and removal of the city manager; and

**WHEREAS**, it is desirable that the General Municipal Election be consolidated with the Local and Municipal Consolidated Elections to be held on the same date and that within the City the precincts, polling places and election officers of the two elections be the same, and that the county election department of the County of Los Angeles canvass the returns of the General Municipal Election and that the election be held in all respects as if there were only one election.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the provisions of §10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the Local and Municipal Consolidated Elections on Tuesday, November 3, 2015, for the purpose of the election of two Members of the City Council for the full term of four years.

**SECTION 2.** That a measure is to appear on the ballot as follows:

Shall Ordinance No. 2279 be approved to amend the city's municipal code to eliminate illegal qualification requirements, require professional recruitment for the city manager, require that hiring and retention of the city manager be based on skills and experience, eliminate requirement that interim city manager be selected only from department heads, eliminate most restrictions on removal of the city manager, and provide that any appointment which violates state or local law is null and void?	YES _____ NO
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**SECTION 3.** That the proposed complete text of the measure submitted to the voters is attached as Exhibit 1, and the proposed ordinance to be enacted is attached as Exhibit 2.

**SECTION 4.** That the vote requirement for the measure to pass is a majority (50%+1) of the votes cast.

**SECTION 5.** That the county election department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.


**SECTION 6.** That the Board of Supervisors is requested to issue instructions to the county election department to take any and all steps necessary for the holding of the consolidated election.

**SECTION 7.** That the City of West Covina recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

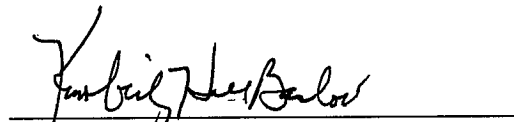
**SECTION 8.** That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the county election department of the County of Los Angeles.

**SECTION 9.** That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

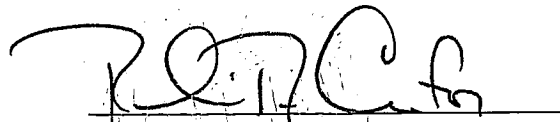
**PASSED, APPROVED AND ADOPTED this 7th day of July, 2015**

  
Fredrick Sykes  
Mayor

**APPROVED AS TO FORM:**

  
Kimberly Hall Barlow  
City Attorney

**ATTEST:**

  
Nickolas S. Lewis  
City Clerk

I HEREBY CERTIFY that the foregoing resolution was duly adopted by the City Council of the City of West Covina, California, at a regular meeting thereof on the 7th day of July, 2015, by the following vote of City Council:

AYES: Spence, Toma, Warshaw, Wong, Sykes

NOES: None

ABSENT: None

ABSTAIN: None

A handwritten signature in black ink, appearing to read "Nickolas S. Lewis", written over a horizontal line.

Nickolas S. Lewis  
City Clerk

ORDINANCE NO. 2279

AN ORDINANCE OF THE PEOPLE OF THE CITY OF  
WEST COVINA, CALIFORNIA, AMENDING SECTIONS 2-  
147, 2-148, 2-149 AND 2-153 OF THE MUNICIPAL CODE  
OF THE CITY OF WEST COVINA REGARDING THE  
QUALIFICATIONS, RECRUITMENT, HIRING AND  
REMOVAL OF THE CITY MANAGER

WHEREAS, in 1964, the voters of West Covina approved an initiative measure adopting an ordinance establishing with the method of determining qualifications of the city manager, and restrictions regarding hiring and removal of the city manager; and

WHEREAS, the City is unable to comply with the current ordinance in a number of respects due to changes in both state law and the elimination of certain organizations which the ordinance requires the City to use in recruiting and determining the qualifications of the city manager; and

WHEREAS, the City Council directed the city attorney to work with staff to draft a revision to the ordinance regarding recruitment, qualifications, hiring and removal of the city manager to eliminate any provisions which are no longer legal and to propose other revisions to the municipal code to enable the City to more effectively recruit, hire and manage the city manager; and

WHEREAS, the City Council have proposed a ballot measure before the City's voters to decide whether to amend the City's municipal code to revise the provisions relating to the qualifications, recruitment, hiring and removal of the city manager.

NOW THEREFORE THE PEOPLE OF THE CITY OF WEST COVINA, CALIFORNIA, DO ORDAIN AS FOLLOWS:

**SECTION 1.** Sections 2-147 through 2-149, and section 2-153 of the West Covina Municipal Code are repealed and replaced in their entirety with the following:

**Sec. 2-147. - Appointment.**

(a) *Eligibility.* No person shall be eligible to receive appointment as city manager while serving as a member of the City Council nor within one-year after he or she has ceased to be a city council member.

(b) *Qualifications.* The City Manager shall be appointed by majority vote of the City Council. He or she shall be selected by the City Council on the basis of his or her executive and administrative qualifications with special reference to his or her actual experience in or knowledge of accepted practices of municipal administration.

**Sec. 2-148. - Vacancies.**

When a vacancy occurs in the office of city manager, the City Council shall, as soon as practicable after such office becomes vacant, appoint an interim city manager. As soon as possible after a vacancy has occurred, the City Council shall proceed with recruitment of city manager candidates using staff or a consultant experienced in such recruitments, and shall make an appointment to the vacant position from among the best qualified candidates. Such appointment shall be made as expeditiously as is possible after the position is vacated by the previous incumbent.

**Sec. 2-149. – Compliance with State and Local Law.**

The City shall at all times comply with state and local law in the recruitment and hiring of the city manager. Any appointment of the city manager that does not comply with applicable state and local law will be null and void.

**Sec. 2-153. - Limitation on Removal of manager.**

Notwithstanding the provisions of this chapter hereinbefore enumerated, the city manager shall not be removed from office during or within a period of ninety (90) days after council members are sworn in to office upon certification of the results of any general municipal election held in the city at which election a member of the City Council is elected or reelected. The purpose of this provision is to allow any newly elected member of the City Council or a reorganized City Council to observe the actions and ability of the city manager in the performance of the powers and duties of his office.

**SECTION 2.** Should any section, subsection, clause or provision of this ordinance for any reason be held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance, it being hereby expressly declared that this ordinance, and each and every section, subsection, sentence, clause and phrase hereof would have been prepared, proposed, approved, adopted and/or ratified irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases of this ordinance be declared invalid.

**SECTION 3.** After this ordinance amending the municipal code as provided for herein is approved by a majority vote of the voters, the Mayor and City Clerk shall certify that the proposed amendment was submitted to the voters of the city and that it was approved by a majority vote. The City Clerk shall certify to the passage and adoption of this ordinance and shall cause the same to be published in the manner required by law.

**PASSED, APPROVED AND ADOPTED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

---

Fredrick Sykes  
Mayor

**APPROVED AS TO FORM:**

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Kimberly Hall Barlow  
City Attorney

**ATTEST:**

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Nickolas S. Lewis  
City Clerk